

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

DAVID A. COONS,

Petitioner,

v.

**9:11-CV-1502
(NAM/CFH)**

SUPERINTENDENT,

Respondent.

APPEARANCES:

OF COUNSEL:

DAVID A. COONS
09-A-0283
Auburn Correctional Facility
Post Office Box 618
Auburn, NY 13021
Plaintiff *pro se*

HON. ERIC T. SCHNEIDERMAN
Attorney General for the
State of New York
The Capitol
Albany, NY 12224-0341
Attorney for Defendants

ALYSON J. GILL, ESQ.
Assistant Attorney General

NORMAN A. MORDUE, SENIOR U. S. DISTRICT JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge Christian F. Hummel, duly filed on the 9th day of September 2013. Following fourteen (14) days from the service thereof, and two extensions having been given, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-

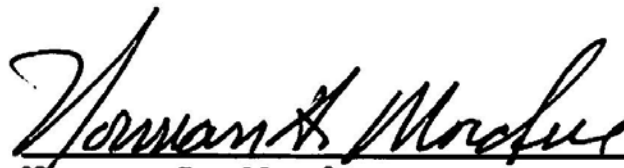
Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. Coon's petition for a writ of habeas corpus is denied. Pursuant to 28 U.S.C. § 2253(c)(2), no certificate of appealability will be issued.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: January 28, 2014
Syracuse, New York


Norman A. Mordue
Senior U.S. District Judge